



Office of Inspector General County of Los Angeles

Use of Force Reporting in Patrol Stations and Current Use of Force Issues

November
2020

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USE-OF-FORCE INCIDENTS IN PATROL DIVISION

On August 4, 2020, as part of the Board of Supervisors' creation of a criminal justice data sharing initiative in Los Angeles County, the Board of Supervisors directed the Los Angeles Sheriff's Department (LASD) to report the number of use-of-force incidents by each patrol station broken down by: month, category, contributing factors, and the patrol division in which it occurred.¹

Independently, the Office of Inspector General has reviewed data covering the use-of-force incidents that have occurred at all 23 patrol stations. This report discusses LASD's definitions of force and the policies which dictate how uses-of-force must be reported. Additionally, this report discusses two current use-of-force issues of public interest. The first issue discusses LASD's position on chokeholds and carotid restraints. The second analyzes LASD's lack of a reporting requirement when a deputy unholsters and points a firearm at a member of the public.

LASD'S DEFINITION OF FORCE

LASD's Manual of Policies and Procedures (MPP) defines uses-of-force that must be reported and documented as any physical effort used to control or restrain another, or to overcome the resistance of another.²

LASD classifies reportable force applicable to patrol functions into three categories:

Category 1 Force³ involves any of the following where there is no injury:

¹ August 4, 2020 Motion by Mark Ridley – Thomas and Sheila Kuehl, "Creation of a Criminal Justice Data Sharing Initiative in Los Angeles County." <http://file.lacounty.gov/SDSInter/bos/supdocs/147772.pdf>. (Accessed September 2, 2020).

² MPP Section 3-10/010.00, Use of Force Defined.

<http://pars.lasd.org/Viewer/Manuals/11239/Content/11242?showHistorical=True>. (Accessed September 2, 2020).

³ In 2017, a fourth category of force was carved out of Category 1 uses-of-force to streamline the documentation of some of the lowest levels of reportable uses-of-force. This force category is referred to as a Non-Categorized Incident (NCI). A NCI is any of the following uses-of-force when there is no injury or complaint of pain, and there are no allegations of excessive force, or other misconduct associated with the following uses-of-force: resisted hobble application; resisted searching and handcuffing techniques; resisted firm grip; control holds; "come-alongs;" or other control techniques. This category of force has previously been used in custody settings and has been recently implemented in certain patrol stations, including Lancaster and Palmdale. See LASD North Patrol Division Order 17-01 and Custody Operations Directive 17-006.

- Searching and handcuffing techniques when the suspect resists;⁴
- Hobbling⁵ when the suspect resists;
- Control holds or come-alongs when the suspect resists;
- Take downs; and/or
- Use of Oleoresin Capsicum spray, Freeze +P or Deep Freeze aerosols, or Oleoresin Capsicum powder from a Pepperball projectile (when a suspect is not struck by a Pepperball projectile) if it causes only discomfort and does not involve injury or lasting pain.

Category 2 Force involves the following:

- Where there is any identifiable injury;
- Where there is a complaint of pain that a medical evaluation determines is attributable to an identifiable injury; and
- Where there is any application of force other than those defined in Category 1 Force but does not rise to the level of Category 3 Force.

Category 3 Force involves any of the following:

- All shootings in which a shot was intentionally fired at a person by a Department member;
- Any type of shooting by a Department member which results in a person being hit;
- Force resulting in admittance to a hospital;
- Any death following a use-of-force by any Department member;
- All head strikes with impact weapons;
- Kick(s) delivered from a standing position, to an individual's head with a shod foot while the individual is lying on the ground/floor;
- Knee strike(s) to an individual's head deliberately or recklessly causing their head to strike the ground, floor or other hard, fixed object;
- Deliberately or recklessly striking an individual's head against a hard, fixed object;
- Skeletal fractures, with the exception of minor fractures of the nose, fingers, or toes caused by any Department member;
- All canine bites; or
- Any force which results in a response from the Internal Affairs Bureau (IAB) Force/Shooting Response team.⁶

⁴ In its force policies, the Department refers to the application of force on a "suspect." However, its policies apply to the application of force on all persons, not simply those suspected of committing a crime.

⁵ "A person is hobbled when they are handcuffed, their ankles are held together with a "ripp hobble" restraint device, and the clip end of that device is not connected to the handcuffs." MPP Section 3-01/110.21.

<http://pars.lasd.org/Viewer/Manuals/10236/Content/10435?showHistorical=True>, (Accessed September 2, 2020).

⁶ MPP Section 3-10/100.00 Use-of-Force Reporting Procedures.

<http://pars.lasd.org/Viewer/Manuals/10008/Content/11250>. (Accessed September 2, 2020).

Deployment of less lethal weapons, such as tasers, projectiles, rubber bullets etc. are considered Category 2 uses-of-force. However, if serious injuries are sustained as a result of this force, the force is required by policy to be upgraded to fall within Category 3.

With the exception of shootings and canine bites, the tables and charts that follow depict the number of uses-of-force at each station and division. Also mentioned is a brief description of the facts surrounding each non-shooting Category 3 use-of-force that occurred during the period from October 2019, through December 2019. The data was extracted from LASD’s Performance Recording and Monitoring System (PRMS) which is used to record these events.⁷

Use-of-Force Year to Date Comparisons with Previous Years

Use-of-Force-Patrol Divisions				
3-Year Comparison				
	JAN-DEC '17	JAN-DEC '18	JAN-DEC '19	Total
Category 1	708	757	741	2206
Category 2	675	772	877	2324
Category 3	13	21	26	60
Total	1396	1550	1644	4590

The above table compares use-of-force incidents that occurred at all LASD patrol stations on a year-to-date basis ending on December 31, 2019. As displayed in the table above, since 2017 force has steadily increased in all categories. Since 2017, categories 2 and 3 saw an increase of 29.99% and 100.00% respectively. No conclusions can be drawn simply by the number of uses-of-force that are reported by each station since there are many variables that could cause such differences.

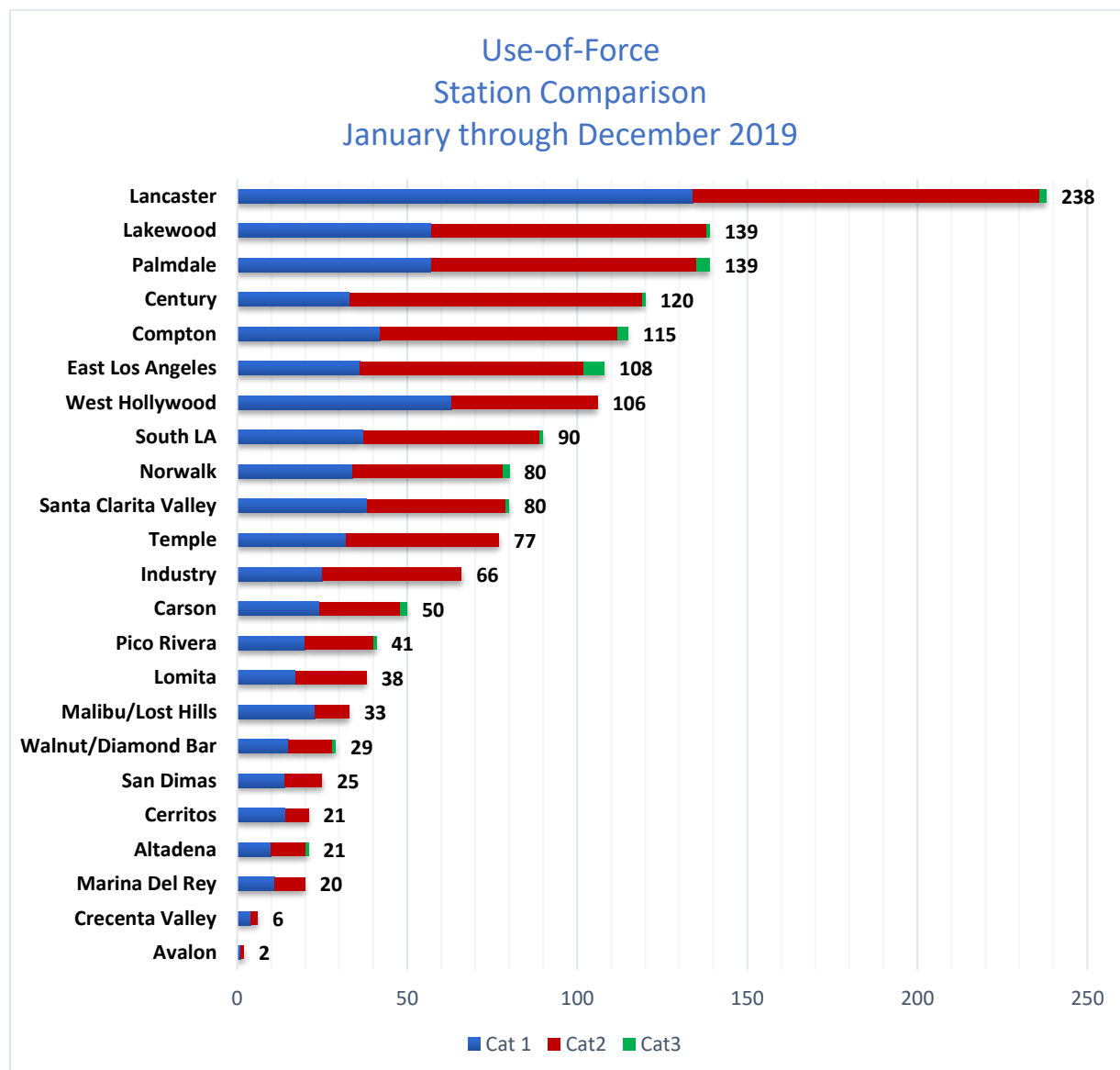
Use-of-Force Year to Date Comparisons by Division

Use-of-Force-Patrol Divisions					
January through December 2019					
	Central	East	North	South	Total
Category 1	160	100	315	166	741
Category 2	284	122	274	197	877
Category 3	11	2	7	6	26
Total	455	224	596	369	1644

⁷ LASD provided updates to some of the data subsequent to the Office of Inspector General’s extraction from the PRMS system of May 5, 2020. These changes include upgrades or downgrades in categories of force or other clerical errors. Consequently, some of the numbers presented here vary slightly from what was pulled by the Office of Inspector General on its initial data extraction.

2019 year-to-date comparisons of the divisions indicate that the Central and North Divisions were involved in most of the total reported use-of-force incidents. Central Division had 455 (27.67%) and North Division had 596 (36.25%) total reported uses-of-force. As a result of a current settlement agreement with the U.S. Department of Justice, North Division is the only division that uses the Non-Categorized Incident (NCI) use-of-force category.⁸

Use-of-Force Year to Date By Stations



⁸ There was a total of 81 uses-of-force categorized as NCI. For consistency of comparison purposes, those are included as Category 1 uses-of-force in the above chart.

For the period of January 2019, through December 2019, Lancaster Station reported the most uses-of-force at 238, while Avalon Station reported the fewest uses-of-force at two.

Non-Shooting Category 3 Uses-of-Force: 3-Year Quarterly Comparison

Non-Shooting Category 3 Use-of-Force 3-Year Quarterly Comparison					
Time Period	Central	East	North	South	Total
OCT-DEC '17	0	1	1	2	4
OCT-DEC '18	3	1	0	0	4
OCT-DEC '19	0	1	1	2	4

Category 3 uses-of-force are the highest category of force reported by the LASD and include force which may cause serious bodily injury, including death. Due to the nature of these events, brief factual summaries for all **non-shooting/canine bite** Category 3 uses-of-force are included below.

Out of the 23 stations, there were 4⁹ Category 3 reported uses-of-force from October 1, 2019, to December 31, 2019: South Division reported two, North and East Divisions each reported one, and Central Division had none.

Altadena (East Division): LASD reported on December 18, 2019, deputies observed a traffic collision. When deputies attempted to detain the driver of the vehicle involved, the driver assaulted the deputies. In their efforts to subdue him, deputies used their fists and struck the suspect. The suspect sustained orbital wall and nasal fractures.

Palmdale (North Division): LASD reported on December 22, 2019, deputies responded to a domestic violence call. During their investigation, the suspect pushed the deputies. Deputies used their fists to punch the suspect, and used control holds to subdue the suspect. The suspect sustained a fractured cheekbone.

Carson (South Division): LASD reported on November 19, 2019, deputies responded to a vandalism call. While attempting to detain the suspect, the suspect drew a firearm. A deputy struck the suspect in the head with a flashlight in his efforts to subdue him. The suspect was treated for a laceration to the head.

⁹ The initial PRMS data extraction indicated that there were 5-Category 3 uses-of-force instead of 4. This was due to a clerical error where a shooting was entered into the PRMS force module rather than the shooting module which tracks all shooting incidents.

Lakewood (South Division): LASD reported on November 26, 2019, a deputy responded to a suspicious person call. While attempting to exit the patrol vehicle, the deputy was punched by the suspect. The deputy engaged in a foot pursuit of the suspect during which she was struck by a vehicle and severely injured. The suspect was located within a containment area. A fight occurred when deputies attempted to take him into custody. Deputies used their fists and deployed a taser. The suspect was treated for abrasions and taser puncture wounds.¹⁰

LASD POLICY ON CHOKEHOLDS AND CAROTID RESTRAINTS

In recent weeks, the public, the Board of Supervisors, other local and State Governments across the nation, and the Federal Government have advocated banning chokeholds. In policing, chokeholds generally refer to neck holds that restrict the flow of oxygen in order to incapacitate an individual. A carotid restraint is a hold designed to diminish the flow of blood to the brain in order to render the subject unconscious.¹¹ Most police departments have prohibited neck holds which restrict airflow, but have allowed for neck holds which restrict blood flow of the person.¹² As of now, LASD has no policies in their MPP on neck holds.

The MPP is LASD's official guiding document that encompasses all the policies and procedures that LASD employees must follow. The only mention of any neck hold in the MPP is in section 3-10/105.00, "Medical Treatment and Transporting of Suspect," which requires a deputy to take a person to the hospital if Department personnel use a carotid or neck restraint on a person. The MPP does not provide definitions for the different types of neck holds, nor does it delineate whether any type of neck hold is permitted or prohibited, or under what circumstances deputies are permitted to use these tactics.

The Custody Division Manual (CDM), which governs the actions of Custody Division personnel, does address when chokeholds and carotid restraints may be used. The CDM is an extension of the MPP, which binds only Custody Division staff to the

¹⁰ We were advised by the Department that this case was mis-categorized as a Category 3 use-of-force due to a clerical error. The change will be noted in the next quarterly comparison. It is being presented as a Category 3 use-of-force for consistency in reporting since this is how the Department categorized it on the force module of PRMS as of May 5, 2020.

¹¹ Chokeholds and carotid restraints have been defined in court decisions including the case of [City of Los Angeles v. Lyons \(1993\) 461 U.S. 95](#), [law enforcement publications](#), and [news reports](#). The definitions used here are consistent with these definitions.

¹² Waddell, Kaveh And National Journal, "Why Many Large Police Departments Tolerate Their Officers Using Neck Holds," THE ATLANTIC. DECEMBER 10, 2014. <https://www.theatlantic.com/politics/archive/2014/12/why-many-large-police-departments-tolerate-their-officers-using-neck-holds/458079/> (accessed June 12, 2020).

procedures and policies enumerated within it – LASD’s other divisions are not required to follow the policies delineated in Section 7-01/030.00 of the CDM, entitled “Prohibited Force,” which states chokeholds can only be used in situations where deadly force is authorized, and carotid restraints can only be used in life threatening and/or high risk or assaultive situations. The CDM provides no further guidance as to what the differences are between applying a chokehold versus applying a carotid restraint.

To find a definition on any type of neck hold and guidance of how and when it should be applied, one would have to refer to LASD’s Defensive Tactics Manual, which is a training manual and does not establish policy. The only type of neck hold defined in the Defensive Tactics Manual is the carotid restraint, which LASD defines as a:

Specific technique designed to restrict the flow of oxygenated blood to the brain via the carotid arteries. Blood flow restriction is accomplished utilizing arm pressure to the sides of the neck. This technique does not restrict breathing.

According to the Defensive Tactics Manual, if the carotid restraint is applied properly, the suspect should only faint or be rendered unconscious.

The Defensive Tactics Manual makes no mention of the different types of neck holds and speaks only to carotid restraints. Even its guidance and teachings on carotid restraints are difficult to follow. In one part it states deputies can use a carotid restraint in assaultive or high-risk situations.¹³ It defines assaultive and/or high-risk situations as situations where:

“[a]n unlawful threat or unsuccessful attempt to do physical harm to another, causing a present fear of immediate harm; a violent physical attack; a situation in which the totality of articulated facts causes a reasonable officer to form the opinion that a significant credible threat of violence exists.”¹⁴

In another part of the Defensive Tactics Manual, in the section solely devoted to carotid restraints, it states the technique must be restricted to only “situations where violent resistance *is encountered* or when it is believed that death or serious bodily harm may result to the *deputy*. (Emphasis added.)”¹⁵ The fact that the Defensive Tactics Manual references two descriptions on the application of a carotid restraint lends itself to confusion to those that are empowered to use this tactic. In

¹³ See *LASD Defensive Tactics Manual*, p. 23.

¹⁴ *Ibid.* at p. 23.

¹⁵ *Ibid.* at p. 146.

the Citizen's Commission on Jail Violence report published in September 2012, in the section discussing a review of LASD's policies and procedures, the authors described in detail the confusion and inconsistencies strewn throughout the many LASD policies and manuals:

LASD provisions on the use of force are neither comprehensive nor easy to understand. There is no single, comprehensive, and organized policy, and the various provisions do not reflect unified higher-level principles governing all policies related to the use of force. Use of force provisions are scattered in seemingly random chapters and subsections in the Manual [MPP], as well as in unit directives, facility memoranda and other written orders. A deputy or supervisor would need to spend hours even to locate – let alone read and understand – the various provisions relating to the use of force scattered throughout the thousands of pages in the Manual [MPP].¹⁶

Adding to the confusion as to the circumstances under which a neck hold is permissible, Sheriff Villanueva announced on June 8, 2020, LASD would move to restrict carotid restraints to only when there is a threat to someone's life or threat of serious bodily injury.¹⁷ There is still no written policy in the MPP defining the different types of neck holds, how to apply them, and what types of neck holds are prohibited.

On the same day that the Sheriff announced his stance on carotid restraints, the Los Angeles Police Department (LAPD) issued its own directive as well. As of June 8, 2020, LAPD has placed a moratorium on all carotid restraints. In 1982 then LAPD Chief Daryl F. Gates, banned LAPD officers from applying bar arm chokeholds, which is where an officer uses his/her forearm to apply pressure to a person's windpipe.¹⁸ Prior to June 8, 2020, LAPD had allowed carotid restraints only when deadly force was authorized. Over a five-year period, from 2005 to 2010, LAPD

¹⁶ [Citizens Commission on Jail Violence, "Report of the Citizens' Commission on Jail Violence," September 28, 2012, p. 51.](#)

¹⁷ Ormseth, Matthew And Tchekmedyan, Alex, "LAPD to Halt Use Of Carotid Restraints; L.A. County Sheriff's Department Pledges to Restrict Use," Los Angeles Times. June 8, 2020. [HTTPS://WWW.LATIMES.COM/CALIFORNIA/STORY/2020-06-08/LOS-ANGELES-POLICE-TO-HALT-USE-OF-CAROTID-RESTRAINTS-SHERIFF-PLEDGES-TO-RESTRICT-USE](https://www.latimes.com/california/story/2020-06-08/los-angeles-police-to-halt-use-of-carotid-restraints-sheriff-pledges-to-restrict-use). (Accessed June 11, 2020).

¹⁸ Panzar, Javier, "Police wrestle with definition of chokeholds," Los Angeles Times. December 9, 2014. <https://www.latimes.com/nation/la-na-chokehold-20141210-story.html#:~:text=%E2%80%9CA%20chokehold%20by%20another%20fancy%20name%20is%20still%20a%20chokehold.&text=Andrew%20Smith%20of%20the%20department's,Angeles%20Police%20Chief%20Daryl%20F>. (Accessed June 14, 2020).

reported to have used carotid restraints approximately 15 times.¹⁹ (The data on subsequent years could not be located). LASD reported using carotid restraints 193 times since 2010.²⁰ While this comparison is for different time periods, LASD appears to use carotid restraints significantly more frequently than LAPD. Even with such rare application of the carotid restraint, following the death of George Floyd in Minneapolis, LAPD swiftly moved on June 8, 2020, to ban carotid restraints all together. LASD has yet to do so.

The Office of Inspector General urges LASD to follow other jurisdictions in banning all types of neck holds in all situations. As other jurisdictions who have already banned chokeholds and carotid restraints have proven, neck holds are not necessary to protect the lives of law enforcement officers given that there are other tools available to them that do not impact vital areas of the human body and thereby, don't threaten the lives of civilians.

In the coming weeks, this issue may become moot with the passage of AB 1196, which would ban law enforcement from using chokeholds or carotid restraints. On August 31, 2020, both houses of the California State Legislature passed AB 1196, with 67 votes for it and 0 votes against.²¹ The bill currently awaits the Governor's signature to make it law in California.

THE UNHOLSTERING OF A FIREARM SHOULD CONSTITUTE A REPORTABLE EVENT

On or about August 7, 2020, LASD received several calls requesting them to respond to a possible assault in the city of Santa Clarita. A video capturing the deputies' response to the call went viral on social media. The video shows several deputies unholstering and pointing guns, which included an AR-15 rifle, at several juveniles.²² After the incident was broadcast by several major news outlets, Sheriff Villanueva made a public statement stating he was asking his subordinates to look

¹⁹ Waddell, Kaveh and National Journal, "Why Many Large Police Departments Tolerate Their Officers Using Neck Holds," The Atlantic. December 10, 2014. <https://www.theatlantic.com/politics/archive/2014/12/why-many-large-police-departments-tolerate-their-officers-using-neck-holds/458079/> (Accessed June 12, 2020).

²⁰ Ormseth, Matthew and Tchekmedyian, Alex, "LAPD to halt use of carotid restraints; L.A. County Sheriff's Department pledges to restrict use," Los Angeles Times. June 8, 2020. <https://www.latimes.com/california/story/2020-06-08/los-angeles-police-to-halt-use-of-carotid-restraints-sheriff-pledges-to-restrict-use>. (Accessed June 11, 2020).

²¹ LegiScan, "California Assembly Bill 1196." <https://www.legiscan.com/CA/votes/AB1196/2019>. (Accessed September 9, 2020.)

²² "L.A. County Sheriffs Point Guns at Three Black Teens Bystanders Scream, They're the Victims!!!," TMZ. August 10, 2020. <https://www.tMZ.com/2020/08/10/la-county-sheriffs-point-guns-santa-clarita-black-teens-needing-help/>. (Accessed August 25, 2020).

into the incident.²³ On August 19, 2020, during a Facebook Live question and answer session, the Sheriff stated the incident had been investigated and did not occur in the fashion that the eyewitnesses on the video portrayed it to be happening in real-time.²⁴ The Office of Inspector General is currently evaluating the LASD's response to the incident.

While it is of some comfort to see the Sheriff respond so quickly to the public outcry, it does not change the many underlying issues that surround the deputies' response to this call— one of note is that according to the MPP, the deputies' actions do not constitute a reportable event. The juveniles were not hurt, no special weapons were deployed, and no one was injured. Per LASD policy, this would not even rise to the minimal standard of a Category 1 use-of-force. Because it is not a use-of-force, LASD does not require its deputies to document when and if, they unholster and point their firearms at others. The deputies' conduct in the Santa Clarita incident, which understandably caused a visceral response by not only the eyewitnesses present, but the nation at large, per LASD policy does not have to be reported, nor documented. This is alarming, to say the least. If not for the incident going viral, the act of a deputy pointing an AR-15 rifle at juveniles would never have come to the attention of the Sheriff himself. It would have just been another instance where deputies have unholstered and pointed their firearm but did not shoot, thus did not meet the standard reporting requirements to document the incident as a reportable event which could arguably be considered a use-of-force. The only reason this incident garnered the Sheriff's attention was because of the public's outcry and demand for answers. This needs to change.

The dictionary defines force as, "a coercion or compulsion, especially with the use or threat of violence." Usually, when a police officer points a gun at a suspect, he/she is threatening the subject with violence to coerce the subject to follow the officer's orders; or the subject has exhibited violent behavior and needs to be compelled by the officer's threat of violence to stop that behavior. The act of pulling out a gun and pointing it at someone, therefore, is the very definition of force and must be documented as such. Case law across various jurisdictions have found the mere act of a police officer pointing a gun at someone can constitute excessive

²³ "Sheriff Villanueva's Statement Regarding a Call for Service in Santa Clarita," Los Angeles County Sheriff's Facebook, August 10, 2020.

https://www.facebook.com/losangelescountysheriffsdepartment/videos/313920673186970/?so=channel_tab&rv=all_videos_card. (Accessed August 25, 2020).

²⁴ "Sheriff Villanueva -Goes Live to Discuss Current Issues and Answer Questions," Los Angeles County Sheriff Facebook, August 19, 2020.

https://www.facebook.com/LosAngelesCountySheriffsDepartment/videos/1701477276675553/?so=channel_tab&rv=all_videos_card. (Accessed August 25, 2020).

force and/or be considered a seizure under the 4th Amendment.²⁵ If pointing a gun can be seen as excessive force and/or a violation of the 4th Amendment under certain circumstances, it should always be documented.

Recent consent decrees in other jurisdictions have required law enforcement agencies to start documenting whenever officers unholster and/or point their firearms. Under a consent decree which went into effect on June 12, 2015, the Cleveland Police Department is required to report every single time an officer unholsters his/her weapon.²⁶ Under their consent decree, as of November 1, 2019, officers of the Chicago Police Department are required to report every time they pull out their firearms and point them at others.²⁷ The mere act or motion of pulling out and pointing a gun, is considered so dangerous, that law enforcement officials across the country have used the mere threat of a weapon as a basis to shoot and kill suspects. The seriousness of the act is not diminished just because a law enforcement personnel is doing the act instead of a civilian. The act of pointing a firearm at another is a threat and is a harbinger of possible deadly violence to come; that fact does not change regardless of whether a civilian or member of law enforcement is involved.

LASD should update its force definitions to make the act of unholstering and pointing a firearm a reportable event which would require it to be documented and tracked. The deputies' actions in the Santa Clarita incident should be scrutinized and evaluated to see if they fall within best practices. It shouldn't have taken a video to go viral to prompt such a response from LASD management. LASD should require its employees to document when they unholster and point a firearm at someone. It should require its management to thoroughly analyze all such events to ensure the deputies' actions are in-line with best practices. It should give the inherently dangerous act of pointing a firearm at another the appropriate amount of attention it deserves, regardless of whether the firearm is discharged or not. By doing so, LASD will join the ranks of other jurisdictions that have already implemented these best practices by documenting these serious events.

²⁵ *Baird v. Renbarger*, 576 F. 3d 340 (7th Cir. 2009); *Motley v. Parks*, 432 F. 3d 1072, 1089 (9th Cir. 2005); *Robinson v. Solano City*, 278 F.3d 1007, 1015 (9th Cir. 2002).

²⁶ *United States of America v. City of Cleveland*, 1:15 CV 1046 (N.D. Ohio 2015).

https://www.justice.gov/sites/default/files/crt/legacy/2015/07/09/cleveland_orders_6-12-15.pdf. (Accessed June 11, 2020).

²⁷ Chicago Police Department, "Firearms Pointing Directions Incidents," Department Notice D19-01. Issue Date October 1, 2019. <http://directives.chicagopolice.org/directives/data/a7a57b9b-1689a018-67e16-89a0-4d6cf7dbfc2535b3.html?hl=true>. (Accessed June 11, 2020).

OFFICE OF INSPECTOR GENERAL RECOMMENDATIONS

1. LASD should immediately ban all types of neck holds due to their potential to cause unnecessary harm to the person subjected to such force and since deputies have other less lethal options at their disposal.
2. LASD should track and publish data on the number of times deputies unholster and point their firearm at a person and under what circumstances.



OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

ALEX VILLANUEVA, SHERIFF



November 13, 2020

Mr. Max Huntsman
Inspector General
Office of the Inspector General
312 South Hill Street, Third Floor
Los Angeles, California 90013

Dear Mr. Huntsman:

**RESPONSE TO THE LOS ANGELES COUNTY OFFICE OF INSPECTOR
GENERAL EVALUATION OF THE USE OF FORCE REPORTING IN PATROL
STATIONS AND CURRENT USE OF FORCE ISSUES**

In October 2020, the Los Angeles County Office of Inspector General (OIG) conducted an evaluation of the Los Angeles County Sheriff's Department's (Department) Use of Force reporting in patrol stations and current Use of Force issues. The OIG provided the Department with a validation draft on November 11, 2020.

Office of Inspector General Recommendations

The OIG's report contained two recommendations: (1) "LASD should immediately ban all types of neck holds due to their potential to cause unnecessary harm to the person subjected to such force and since deputies have other less lethal options at their disposal.", and (2) "LASD should track and publish data on the number of times deputies un-holster and point their firearm at a person and under what circumstances."

211 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

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The Department values the OIG's input related to the development of policies and procedures for Use of Force incidents. The Department's response to the recommendations are outlined below:

1. The Department has revisions in progress regarding the use of the Carotid Restraint Technique, and how it is categorized. On June 8, 2020, Sheriff Alex Villanueva notified all Department members that the Carotid Restraint Technique would immediately be considered an application of deadly force, and restricted to situations in which an application of deadly force was justified. To comply with Assembly Bill (AB) 1196, particularly with its language specific to neck restraints/Carotid Restraint Technique, the Department is in the revision process of its Use of Force Policy; California Governor Gavin Newsom signed AB 1196 into law on September 30, 2020.
2. The Department respectfully declines the recommendation of the OIG to track incidents of deputies un-holstering and pointing their firearm, and the circumstances under which the action occurs.

The Audit and Accountability Bureau has the responsibility to monitor and document Department responses related to this evaluation and analysis. Should you have any questions, please contact Captain Rodney K. Moore at (323) 307-8302.

Sincerely,

ALEX VILLANUEVA, SHERIFF



TIMOTHY K. MURAKAMI
UNDERSHERIFF